IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 31ST OCTOBER 2007 / 9TH KARTHIKA 1929

Bail Appl..No. 6658 of 2007()

CRIME NO.298/07 OF VADAKKEKADAU POLICE STATION, THRISSUR.

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PETITIONER:

K. VIJAYA, W/O. LATE KURUPPAYYA,
AGED 45 YEARS, H.NO.V/II, VADAMADHURI PANCHAYAT,
MOTHANNAMPETTY P.O., DIDINGAL DISTRICT, TAMILNADU.

BY ADV. SRI.C.A.CHACKO
SMT.C.M.CHARISMA
SRI.N.A.SHAFEEK

RESPONDENTS:

STATE OF KERALA,
REPRESENING A.S.I. OF POLICE, VADAKKEKADU P.S.,
REP. BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY P.P. SRI.S.U. NAZAR.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 31/10/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

B.A. NO. 6658 of 2007

Dated this the 31st day of October, 2007

ORDER

Application for regular bail. The petitioner is the 2nd accused. She along with the co-accused faces allegations under Sec.382 of the Cr.P.C. She was arrested on 31/8/07. An earlier application for bail filed by her was dismissed by this Court as per the order dated 8/10/07 in B.A.No.6093/07. I have adverted to the facts in detail in the said order. This order must be read in continuation of the said order. I am hence not adverting to the facts in any greater detail in this order.

2. The learned counsel for the petitioner submits that except to allege that the petitioner had introduced the 1st accused for engagement as domestic help in the house of the de facto complainant, the petitioner is not shown to have any role in the commission of the crime. The learned counsel for the petitioner submits that there is nothing to show that the

petitioner had shared the booty along with the 1st accused. Except to make a vague allegation of collusion so far, in spite of grant of adequate opportunity, the prosecution has not come out with any specific allegation against the petitioner. In these circumstances, the petitioner may be enlarged on bail, submits learned counsel for the petitioner.

3. The learned Public Prosecutor does not oppose the application and, in the facts and circumstances of this case, I am satisfied that the petitioner deserves to be enlarged on bail. Her continued detention, according to me, is not justified.

4. **In the result:**

(a) The application is allowed.

(b) The petitioner shall be released on bail on the following terms and conditions:

(i) The petitioner shall execute a bond for Rs.50,000/- with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

(ii) The petitioner shall make herself available for interrogation before the Investigating Officer on all Mondays and Fridays between 10 a.m. and 12 noon for a period of three months from the date of her release and thereafter as and when

directed by the Investigating Officer in writing to do so.

(iii) The petitioner shall not, during the said period of three months, leave the Sessions Division of Thrissur, without the prior permission of the learned Magistrate.

(R. BASANT, JUDGE)

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